

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

PAUL ROBERTS,
Plaintiff,
v.
ECLIPZ.IO, INC., et al.,
Defendants.

Case No. [25-cv-00306-EKL](#)

**ORDER ADOPTING MAGISTRATE
JUDGE'S REPORT AND
RECOMMENDATION**

Re: Dkt. Nos. 8, 9

Defendant James Rautner removed this case from Santa Clara County Superior Court on the basis of federal question jurisdiction. *See* 28 U.S.C. § 1331. At the time of removal, the complaint asserted a claim under the Racketeer Influenced and Corrupt Organizations Act (“RICO”), 18 U.S.C. §§ 1961 *et seq.* *See* Notice of Removal Ex. 1, ECF No. 1-1. The RICO claim was the sole claim asserted under federal law.

On March 5, 2025, Plaintiff and Rautner stipulated that Plaintiff may be granted leave to amend the complaint to dismiss his RICO claim. *See* Joint Stip. to Amend, ECF No. 7. The purpose of the stipulation was to remove the basis for federal subject matter jurisdiction. *Id.* at 2. To further that end, the parties also stipulated to remand the case to Santa Clara County Superior Court upon amendment of the complaint. *See* Joint Stip. to Remand, ECF No. 8.

On March 12, 2025, the Honorable Virginia K. DeMarchi granted the parties’ stipulation to amend the complaint and issued a Report and Recommendation that the parties’ stipulation to remand should be granted. No party filed an objection.

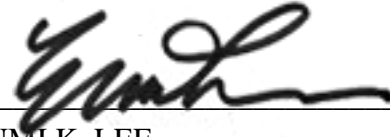
The court finds the Report and Recommendation correct, well-reasoned, and thorough, and adopts it in every respect. The amended complaint has been filed, ECF No. 11, and it “excises the federal-law claim[] that enabled removal,” *Royal Canin U.S.A., Inc. v. Wullschleger*, 604 U.S. 22,

25 (2025). “The case must therefore return to state court.” *Id.* at 26.

Accordingly, the stipulation to remand is GRANTED. This case is REMANDED to Santa Clara County Superior Court.

IT IS SO ORDERED.

Dated: March 27, 2025



EUMI K. LEE
United States District Judge